

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND)
ELECTRIC COMPANY AND KENTUCKY)
UTILITIES COMPANY FOR A DECLARATORY) CASE NO.
ORDER AND APPROVAL PURSUANT TO KRS) 2014-00321
278.300 FOR A CAPACITY PURCHASE AND)
TOLLING AGREEMENT)

ORDER REGARDING REQUEST FOR CONFIDENTIAL TREATMENT

On September 23, 2014, Louisville Gas and Electric Company and Kentucky Utilities Company ("Movants") moved pursuant to 807 KAR 5:001, Section 13, that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of their petition filed on September 23, 2014, Movants state that the information they are requesting to be held confidential is contained in their Capacity Purchase and Tolling Agreement with Bluegrass Generation Company and in the Generation Planning and Analysis attached to their Application as Exhibits 5 and 6. The information is more particularly described as commercial credit, concessions, and selective terms and conditions. Movants state that this sensitive information, if disclosed, could result in a competitive disadvantage to Movants as set out in KRS 61.878(1)(c)(1).

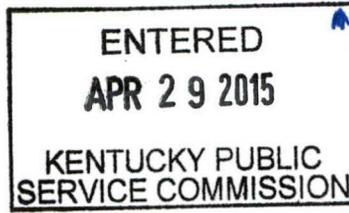
Having carefully considered the petition requesting confidential treatment and the materials at issue, the Commission finds that the materials contained in Movants'

Application, Exhibits 5 and 6, meet the criteria for confidential protection as set forth in KRS 61.878(1)(c)(1) and should not be placed in the public record for an indefinite period of time, or until further Orders of this Commission.

IT IS THEREFORE ORDERED that:

1. Movants' petition for confidential protection is hereby granted.
2. The materials contained in Movants' Application, Exhibits 5 and 6, are hereby granted confidential protection. The materials granted confidential protection will not be placed in the public record or made available for public inspection for an indefinite period of time, or upon further Orders of this Commission.
3. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).
4. Movants shall inform the Commission if the materials granted confidential protection become publicly available or no longer qualify for confidential treatment.
5. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order and the period during which the materials have been granted confidential treatment has not run, Movants shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If Movants are unable to make such demonstration, the requested materials shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
6. The Commission shall not make the materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow Movants to seek a remedy afforded by law.

By the Commission



ATTEST:


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